

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

LOIS JUDEVINE BLACKWELL and)
JUDEVINE, INC., a Missouri Nonprofit)
Corporation d/b/a JUDEVINE CENTER)
FOR AUTISM,)

Plaintiffs,)

v.)

TOUCHPOINT AUTISM SERVICES, INC.)

Defendant.)

Case No. 4:10-CV-00360 TIA

PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION

Pursuant to Federal Rule of Civil Procedure 65, Plaintiffs Lois Judevine Blackwell ("Blackwell") and Judevine, Inc. d/b/a Judevine Center for Autism hereby move the Court for the entry of a preliminary injunction against Defendant TouchPoint Autism Services, Inc., enjoining and restraining Defendant, and its agents, employees, and all others acting in concert or participation with them from using the name and marks JUDEVINE and THE JUDEVINE CENTER or any other name and mark that is confusingly similar to Blackwell's marks; enjoining and restraining Defendant and its agents, employees, and all others acting in concert or participation with them from using the domain names judevine.com and judevine.org or any other domain name that is identical or confusingly similar to the marks JUDEVINE and THE JUDEVINE CENTER; and enjoining and restraining Defendant from committing any other act calculated or likely to cause the public to believe that Defendant is in any manner connected, affiliated, or associated with Plaintiffs or licensed or sponsored by Plaintiffs.

Plaintiffs require a preliminary injunction in order to prevent Defendant from continuing to infringe Blackwell's trademark rights, wrongfully use domain names identical to or

confusingly similar to Blackwell's registered marks, confuse and/or deceive the public, and cause irreparable harm and injury to plaintiffs and their intellectual property rights, reputation and goodwill. This Motion is supported by the accompanying Memorandum in Support of Plaintiffs' Motion for Preliminary Injunction.

WHEREFORE, Plaintiffs respectfully request that their Motion for Preliminary Injunction be granted and that Defendant TouchPoint Autism Services, Inc. be enjoined for the duration of this litigation and thereafter, and for such other and further relief as this Court deems appropriate.

PLAINTIFFS REQUEST AN ORAL ARGUMENT ON THIS MOTION.

Respectfully submitted,

STINSON MORRISON HECKER, LLP

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ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 27th day of May, 2010, a true and correct copy of the foregoing document was served via the Court's CM/ECF system to the following counsel of record:

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